

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

IN RE:

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JUANA M ORTIZ PABON

CASE NO. 09-03939-ESI

CHAPTER 13

Debtor(s)

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MOTION TO SUBMIT AMENDED PLAN DATED DECEMBER 2, 2009

TO THE HONORABLE COURT:

NOW COMES the above named debtors through the undersigned attorney and very respectfully prays and alleges:

1. That debtor herewith submits amended plan dated DECEMBER 2, 2009 for the Court's approval.

WHEREFORE it is respectfully requested that this Honorable Court confirm this plan on its day.

In San Juan, Puerto Rico, this December 2, 2009.

I CERTIFY that on this date I sent by electronic mail a true copy of this motion and Plan to Chapter 13 Trustee, Alejandro Oliveras Rivera, Esq., to attorney for R&G Premier Bank, Ismael H. Herrero, III and by regular mail to parties in interest and to creditors as per master address list.

/s/EMILY D DAVILA  
USDC-PR #214503  
WILLIAM DAVILA DE PEDRO, ESQ.  
USDC-PR 128809  
420 PONCE DE LEON  
MIDTOWN SUITE 311  
SAN JUAN, PR 00918  
TEL. 787, 759-8090/FAX 759-9620  
treasure@prtc.net

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF PUERTO RICO**

IN RE: **ORTIZ PABON JUANA MARCIA**  
aka **JUANA M ORTIZ PABON**

BK. CASE # **09-03939-EESL**

DEBTOR(S)

CHAPTER 13

**CHAPTER 13 PAYMENT PLAN**

**NOTICE:** The following plan contains provisions which may significantly affect your rights. You should read this document carefully and discuss it with your attorney. When plan will bind the debtor and each creditor to its terms. Objections must be filed in writing with the court and served upon the debtor(s), debtors' counsel, the Trustee and any other entity designated by the Court, at the 341 meeting of creditors or not less than twenty (20) days prior to the scheduled confirmation hearing. For post confirmation Plan Modifications, objections and not filed in the same manner within twenty (20) days from its notification. This plan does not allow claims. Any party entitled to receive disbursements from the Trustee must file a proof of claim with the Court, unless disallowed or expressly modified by the Court and/or the terms of the plan. If no claim is filed, the Trustee will pay a creditor provided for in the plan, unless ordered by the Court. If the Trustee is to make POST-PETITION REGULAR MONTHLY PAYMENTS to any Secured Debtor, claim must be filed including the following information: account number, address, due date and regular monthly payment. Secured creditor must notify any change in the payment, three (3) months prior to the effective date of new payment. Those post-petition monthly payments will not exceed the life of See the notice of commencement of case for the plan. See the notice of commencement of case for the plan.

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee  directly  by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.
3. The Confirmation Order will not vest property of the Estate on Debtor(s) until the Order discharging Debtor(s) is entered.

**PLAN DATED:**

PRE  POST-CONFIRMATION

AMENDED PLAN DATED: **DECEMBER 2, 2009**

FILED BY  DEBTOR  TRUSTEE  UNSECURED

**I. PAYMENT PLAN SCHEDULE**

|                |         |                     |
|----------------|---------|---------------------|
| \$ 300.00      | x 12    | = 3,600.00          |
| \$ 450.00      | x 48    | = 21,600.00         |
| \$ _____       | x _____ | = _____             |
| \$ _____       | x _____ | = _____             |
| \$ _____       | x _____ | = _____             |
| <b>TOTAL =</b> |         | <b>60 25,200.00</b> |

**Additional Payments:**

\$ 0.00 to be paid as LUMP SUM  
within \_\_\_\_\_ with proceeds to come from  
 Sale of property identified as follows:

Other: \_\_\_\_\_

Periodic Payments to be made other than, and in addition to the above.

\$ \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

To be made on: \_\_\_\_\_

**PROPOSED PLAN BASE: \$ 25,200.00**

**II. ATTORNEY'S FEES**

To be treated as a § 507 Priority, and paid before any other creditor and concurrently with the Trustee's fees, unless otherwise provided:

|                                   |             |
|-----------------------------------|-------------|
| a. Rule 2016(b) Statement:        | \$ 3,000.00 |
| b. Fees Paid (Pre-petition):      | \$ 600.00   |
| c. R 2016 Outstanding balance:    | \$ 2,400.00 |
| d. Post Petition Additional Fees: | \$ 0.00     |
| e. Total Compensation:            | \$ 3,000.00 |

Signed: /s/ ORTIZ PABON JUANA MARCIA

DEBTOR

JOINT DEBTOR

**II. DISBURSEMENT SCHEDULE SEQUENCE**

**A. SECURED CLAIMS**

Debtor represents that there are no secured claims.

Secured creditors will retain their liens and shall be paid as follows:

ADEQUATE PROTECTION PAYMENTS CR \$ \_\_\_\_\_

Trustee will pay secured ARREARS:

| Cr. | Cr. | Cr. |
|-----|-----|-----|
| #   | #   | #   |
| \$  | \$  | \$  |

Trustee will pay IN FULL Secured Claims

| Cr. R&G PREMIER BANK | Cr. | Cr. |
|----------------------|-----|-----|
| \$ 11,399.56         | \$  | \$  |

Trustee will pay VALUE OF COLLATERAL

| Cr. | Cr. | Cr. |
|-----|-----|-----|
| \$  | \$  | \$  |

Secured Creditor's interest will be insured. **INSURANCE POLICY** will be paid through plan:  
Cr. Ins Co. Premium: \$ \_\_\_\_\_  
(Please indicate in "Other Provisions" the insurance coverage period)

Debtor SURRENDERS COLLATERAL to Lien Holder: \_\_\_\_\_

Debtor will maintain REGULAR PAYMENTS DIRECTLY to: \_\_\_\_\_

**B. PRIORITIES** The Trustee will pay §507 priorities in accordance with the law. [§1322 (a)(2)]

**C. UNSECURED PREFERRED:** Plan  Classifies  Does not Classify Claims.

|  |       |
|--|-------|
| <input type="checkbox"/> Class A: <input type="checkbox"/> Co-Debtor Claims / <input type="checkbox"/> Paid 100% / <input type="checkbox"/> "Pay Ahead": | _____ |
| <input type="checkbox"/> Class B: <input type="checkbox"/> Other Class: <input type="checkbox"/>   | _____ |

| Cr. | Cr. | Cr. |
|-----|-----|-----|
| \$  | \$  | \$  |

**D. GENERAL UNSECURED NOT PREFERRED:** (Case Liquidation Value = \$ 7,668.58)

Will be paid 100% plus \_\_\_\_\_ % Legal Interest.  Will be paid Pro-Rata from any remaining funds

**OTHER PROVISIONS:**

**ATTORNEY'S FEES TO BE PAID FIRST;**

**EMA R-G PREMIER \$270. X 12 & \$400. X 22 (PRINCIPAL SUM \$7016.62 + 13.50% (\$2,670.) + LATE CHARGES \$937.94 + \$775.00 ATTY FEES = \$11,399.56 TOTAL OWED. R&G PREMIER TO APPLY ALL MONIES RCVD. TO PNCPAL. UNTIL SATISFACTION, THEREAFTER TO INTEREST, LATE CHARGES &**

\* See Attached Continuation Sheet for Additional Information

ATTORNEY FOR DEBTOR: **WILLIAM DAVILA DE PEDRO ESQ**

PHONE: **(787) 759-8090**

**CHAPTER 13 PAYMENT PLAN  
(Continuation Sheet)**

**II DISBURSEMENT SCHEDULE**

**OTHER PROVISIONS**

***ATTORNEY'S FEES.***

***GENERAL UNSECURED 100% + 6% LEGAL INT***

ORTIZ PABON JUANA MARCIA  
URB VILLA CAROLINA  
173 11 CALLE 439  
CAROLINA PR 00985

WILLIAM DAVILA DE PEDRO ESQ  
420 PONCE DE LEON AVENUE  
MIDTOWN BLDG SUITE 311  
SAN JUAN PR 00918

R & G MORTGAGE  
BANKRUPTCY DIVISION  
GPO BOX 362394  
SAN JUAN PR 00936